

REMARKS

Claims 1, 3, 5-6, and 8-32 were pending as of the office action dated June 27, 2008. Claims 1, 5, 8-13, 17, 19, 23, and 30 are being amended. Claims 3, 6, 15, 18, 20, 28-29, and 31-32 are being cancelled. New claims 36-37 are being added. Support for claim amendments can be found in the specification at least on pages 14-17. Reconsideration of the action and further examination are respectfully requested in light of the foregoing amendments and the following remarks.

Interview Summary

The Applicants' representative Leila Abdi thanks Examiner Pham and Examiner Truong for the courtesy of a personal interview on July 21, 2008. During the interview, the above-noted features of claim 1 were discussed in the context of proposed amendments, with Examiner Pham noting that further search and consideration would be required before an official decision of patentability could be made.

Objections

The specification was objected to because "what comprises a computer readable medium is not in the specification." See Office Action, page 2. However, no claims recite "computer-readable medium," so it is unclear why this objection was made. Applicants respectfully request the objection to be withdrawn.

Claim 31 is objected to because it recites "operable to." In order to expedite prosecution, Applicants have cancelled claim 31. Therefore, the objection to claim 31 is moot.

§ 101 rejections

Claims 29-31 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In order to expedite prosecution, Applicants have cancelled claims 29 and 31. Therefore, the rejection of these claims is moot.

Claim 30 recites "means plus" language and is statutory. Two en banc decisions of the Federal Circuit have made clear that the USPTO is to interpret means plus function language according to 35 U.S.C. § 112, sixth paragraph. *In re Donaldson*, 16 F.3d 1189, 1193, 29

USPQ2d 1845, 1848 (Fed. Cir. 1994) (en banc); *In re Alappat*, 33 F.3d 1526, 1540, 31 USPQ2d 1545, 1554 (Fed. Cir. 1994) (en banc). The specification on page 5 describes, for example, that a “server may select one or more documents” and “one or more evaluators to rate the document.” Therefore, Applicants request the Examiner to withdraw the rejection of claim 30.

§ 112 rejection

Claim 31 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. As indicated above, claim 31 has been cancelled, and therefore this rejection is moot.

§ 102 and 103 rejections

Claims 1, 10, 17-18, and 24-27, 29-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2005/0131918 to Hillis (“Hillis”), further in view of U.S. Publication No. 2004/0107363 to Monteverde (“Monteverde”). Claims 3, 5, 6, 22-23, and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hillis and Monteverde further in view of U.S. Publication No. 2005/0144297 to Dahlstrom et al. (“Dahlstrom”). Claims 8-9 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hillis and Monteverde further in view of U.S. Patent Application No. 7,072,888 to Perkins (“Perkins”). Claims 11-13 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hillis and Monteverde and further in view of U.S. Publication No. 2003/0014428 to Mascarenhas (“Mascarenhas”). Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hillis and Monteverde and further in view of U.S. Publication No. 2004/0199584 to Kirshenbaum (“Kirshenbaum”). Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hillis and Monteverde and further in view of U.S. Publication No. 2004/0204276 to Hosea et al. (“Hosea”). Claims 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hillis and Monteverde and further in view of U.S. Publication No. 2005/0060404 to Ahlander et al. (“Ahlander”). Applicant respectfully traverses each of these rejections.

Claim 1, as amended, recites “identifying, at the server, a trust score for each of one or more evaluators, each trust score being **a measure of an extent to which a respective**

evaluator's rating information is considered in determining an aggregate rating, each trust score based on factors associated with the respective evaluator; **identifying a sensitivity score, the sensitivity score indicating a level of conservatism in determining the aggregate rating**; determining the **aggregate rating** for the document based on the rating information, the trust scores, and the sensitivity score; receiving a request from a recipient, identifying a suitability standard associated with the recipient; and determining whether to deliver the document in response to the request based on the suitability standard and the aggregate rating."

Hillis is directed to a system for combining ratings obtained from evaluation systems according to preferences of a particular user. *See* Abstract. The ratings are obtained as specified by an evaluation profile of a user. *See id.* The relied upon portions of Hillis provide no teaching or suggestion of any **"sensitivity score"** or a **"suitability standard,"** much less "identifying, at the server, a trust score for each of the one or more evaluators, each trust score being a measure of an extent to which a respective evaluator's rating information is considered in determining an aggregate rating, each trust score based on factors associated with the respective evaluator; identifying a sensitivity score, the sensitivity score indicating a level of conservatism in determining the aggregate rating; determining the aggregate rating for the document based on the rating information, the trust scores, and the sensitivity score; receiving a request from a recipient, identifying a suitability standard associated with the recipient; and determining whether to deliver the document in response to the request based on the suitability standard and the aggregate rating," as recited in claim 1.

The relied upon portions of Monteverde also do not teach or suggest "identifying, at the server, a trust score for each of the one or more evaluators, each trust score being a measure of an extent to which a respective evaluator's rating information is considered in determining an aggregate rating, each trust score based on factors associated with the respective evaluator; identifying a sensitivity score, the sensitivity score indicating a level of conservatism in determining the aggregate rating; determining the aggregate rating for the document based on the rating information, the trust scores, and the sensitivity score; receiving a request from a recipient, identifying a suitability standard associated with the recipient; and determining whether to deliver the document in response to the request based on the suitability standard and the aggregate rating," as recited in claim 1.

Accordingly, the relied upon portions of Hillis, Monteverde, Dahlstrom, Perkins, Mascarenhas, Kirshenbaum, Hosea, and Ahlander taken alone or in combination, do not teach or suggest each and every element of claim 1, and therefore, cannot support a rejection of this claim under 35 U.S.C. § 103(a). Reconsideration and withdrawal of the rejection are respectfully requested and deemed appropriate for at least these reasons. Claims 5, 8-14, 16-17, 19, and 21-27 depend from claim 1 and are allowable for at least the same reasons set forth above with respect to claim 1.

Claim 30 recites “means for identifying a trust score for each of the one or more evaluators, each trust score being a measure of an extent to which a respective evaluator’s rating information is considered in determining an aggregate rating, each trust score based on factors associated with the respective evaluator; means for identifying a sensitivity score, the sensitivity score indicating a level of conservatism in determining the aggregate rating; means for determining the aggregate rating for the document based on the rating information, the trust scores, and the sensitivity scores; means for receiving a request from a recipient; means for identifying a suitability standard associated with the recipient; means for determining whether to deliver the document in response to the request based on the suitability standard and the aggregate rating.” Claim 30 is allowable for at least the same reasons set forth above with respect to claim 1.

New claim 36 recites “receiving, at a server, rating information associated with contents of a document from one or more evaluators; identifying, at the server, a trust score for each of the one or more evaluators, each trust score being a measure of an extent to which a respective evaluator’s rating information is considered in determining an aggregate rating, each trust score based on factors associated with the respective evaluator; identifying a sensitivity score, the sensitivity score indicating a level of conservatism in determining the aggregate rating; determining the aggregate rating for the document based on the rating information, the trust scores, and the sensitivity score; receiving a request from a recipient, the request including a preferred aggregate rating for documents associated with the recipient; and determining whether to deliver the document in response to the request based on whether the preferred aggregate rating satisfies the aggregate rating.” Claim 36 is allowable for at least the same reasons set forth above with respect to claim 1.

New claim 37 recites “associating evaluation information with documents at a server, the evaluation information comprising trust information and rating information; receiving a request at the server; ranking the documents at the server, based on the evaluation information in response to the request; providing the ranked documents; and updating the trust information based on the ranking.” Claim 37 is allowable for at least the same reasons set forth above with respect to claim 1.

For the foregoing reasons, the Applicants submit that all the claims are in condition for allowance. By responding in the foregoing remarks only to particular positions taken by the Examiner, the Applicants do not acquiesce with other positions that have not been explicitly addressed. In addition, the Applicants’ selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the Applicants’ decision to amend or cancel any claim should not be understood as implying that the Applicants agree with any positions taken by the Examiner with respect to that claim or other claims.

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Respectfully submitted,

Date: September 18, 2008

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